

Subject: CUCKOOs NEST ASSCOIATION (CNA), FORMAL COMPLIANT PROCESS

Ref: (a) Chapter 29 of Title 55 of the Code of Virginia

 (b) Office of the Common Interest Community Ombudsman Regulations

 (c) Cuckoos’ Nest HOA Governing Documents

Encl: Cuckoo’s Nest Formal Complaint Form

1. In order to properly submit a complaint, the complaining party must complete and submit to the Association enclosure (1). The complainant must allege a specific violation of applicable laws or regulations in accordance with references (a) through (c). The complainant must include the requested action of resolution that he/she seeks.
2. Complaint must be emailed to info@cuckoosnestassociation.com or mailed via the United States Postal Service to P.O. box 207, Bumpass, Virginia 23024-0207.
3. The CNA shall review the complaint in order to determine if is actionable and complete. If the complaint is not complete, it is not actionable and this policy shall not apply. If the complaint is actionable and complete, it shall be accepted for review and a decision. If the complaint is not acceptable and/or complete the CNA will return the complaint and explain why the complaint was not accepted. In either case, the CNA shall provide written acknowledgement of the receipt of complaint, and its acceptance or rejections, within seven (7) days via email or the United States Postal Service to the complainant at the address provided on the Complaint Form or by email to the complaint at the email address provided on the complaint form.
4. If additional information is required from the complainant, the CNA shall contact the complainant in writing or by email advising of the same.
5. If the additional information is not received within 15 days from the date of the request thereof, the matter shall be deemed closed and the disposition of the complaint of the complaint will be mailed via the United States Postal Service/email to the complainant at the address provided on the complaint form.
6. Once all required documentation to support the complaint has been timely received by CNA they shall use best efforts to complete its review regarding the complaint within 45 days.
7. After completion of the CNA‘s review of the complaint, the CNA shall issue written notice of the date, time and location of either a hearing of meeting of the CNA’s representatives where a final decision regarding the complaint shall occur. The written notice shall be sent via the United States Postal Service via registered or certified mail or by email to the complaint at the email address provided on the complaint form. Note: DPOR regulations stipulate right of ‘written notice” not participation.
8. The Board of Directors shall determine the representatives of the CNA who shall conduct the proceeding and make a final decision of the complaint. Written notice of that decision shall be mailed via the United States Postal Service or email to the complainant at the address provided on the complaint form within seven (7) days of the CNA board’s decision. The notice shall refer to the date of the decision, shall include specific citations to applicable association governing documents, laws, or regulations that led to final decision, and shall include the Common Interest Community Registration number for the CNA.
9. The notice of final decision shall advise the complainant of his or her rights to file an appeal to the office of Common Interest Community Ombudsman (reference (b)) and provide the data necessary to do so. If you wish to contact the OMBUDSMAN for further clarification they may be contacted at:

Office if the Common Interest Community Ombudsman

Department of Professional and Occupational Regulation

9960 Maryland Drive, Suite 400

Richmond, VA 23233

(804)367-2941

Email: CICOmbudsman@dpor.virginia.gov.

1. The CNA shall maintain a record of all complaints for no less than one year from the date of the CNA’s final decision, including incomplete and non-actionable complaints.

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